

RULES UNDER ACT II OF 1910

PAPER CURRENCY

THE CURRENCY NOTES (REFUND) RULES, 1921

*G. of I., Finance Dept., Notn. No. 3201-F., 24th Nov. 1921,
 republished in Govt. Notn. No. S. I.-20, F. D., 29th Nov.
 1921, B. G., 1921, Pt. I, p. 3122.*

In exercise of the powers conferred by section 29 of the Indian Paper Currency Act, 1910 (II of 1910), the Governor General in Council is pleased to make the following rules prescribing the circumstances, conditions and limitations under which the value of lost, mutilated, or imperfect currency notes may be refunded :

Short title.

1. These rules may be called "the Currency Notes (Refund) Rules, 1921."

Definitions.

2. In these rules unless there is anything repugnant in the subject or context :—

(a) "Altered note" means a note in which an alteration has been made in the number, date, signature or value, or in any other respect.

(b) "Controller" means Controller of the Currency.

(c) "Currency Officer" means the officer in immediate charge of an office of issue.

(d) "Deputy Controller" means a Deputy Controller of the Currency.

(e) "Half note" means a half of a note which has been divided vertically through or near the centre.

(f) "Mismatched note" means an imperfect note formed by the joining of half of one note to half of another note.

(g) "Mutilated note" means a note, of which a portion is missing but does not include a half note.

(h) "Note" means a currency note.

(i) "Number" includes the number and letters of the series to which the note belongs.

(j) "Obliterated note" means a note, not being a mutilated or altered note, of which a portion has become or has been rendered indecipherable.

3. (1) Claims in respect of notes, of which the denomination
 Presentation of claims, does not exceed ten rupees, shall be presented
 general provisions. to the currency officer in charge of the Calcutta
 office of issue :

provided that—

(i) claims in respect of mutilated notes of the denominations of one rupee and two and a half rupees may be presented at any office of issue and shall be dealt with at the office of issue at which they are presented ;

(ii) claims in respect of notes of the denominations of five and ten rupees issued prior to July 1919 shall be presented and dealt with at the office from which the notes were originally issued.

(2) Claims in respect of notes, of which the denomination exceeds ten

rupees, shall be presented to the currency officer in charge of the office of issue, to which such note appears to belong.

(3) When a claim has been presented to a currency officer, who is not authorised to entertain it under these rules, such officer shall return the note to the presenter and refer him to the officer to whom it should be presented under these rules.

4. If it appears to the currency officer, to whom a claim is presented
Limitation in respect of time. under these rules, that such claim was not made by the claimant within twelve months of the time when it might first have been made by him, he shall not entertain such claim unless authorised to do so by the Deputy Controller.

5. (1) No claim in respect of a note alleged to have been lost or wholly
Limitation in respect of value. destroyed shall be entertained unless the denomination of such note exceeded ten rupees.

(2) No claim in respect of a half or mismatched note shall be entertained unless such half note, or one of the half notes comprising the mismatched note, is part of a note of which the denomination exceeded two and a half rupees.

Power to dispose of claims. 6. All claims under these rules shall be dealt with in the following manner, namely :—

(a) An enquiry shall be held by the currency officer to whom the claim was presented and such officer shall submit the results of his enquiry to the Deputy Controller, to whom he is subordinate, and such Deputy Controller shall thereupon pass orders in accordance with these rules disposing of the claim :

provided that, with the previous consent of the Controller, the Deputy Controller may delegate to any currency officer subordinate to him the power to pass orders disposing of claims or classes of claims arising otherwise than in respect of lost or wholly destroyed notes.

(b) If in the course of an enquiry the enquiring officer requires the claimant to furnish him with any information relating to the claim and the claimant fails, without reasonable cause in the opinion of such officer, to comply with such requisition within three months, such officer may reject the claim.

7. Claims to the value of a mutilated note of a denomination not exceeding ten rupees shall be rejected, unless the portion presented is in the opinion of the enquiring officer clearly more than half of the note, and unless the number of the note is identified on it by the enquiring officer :

provided that, if the note has been joined, the claim shall be rejected unless the enquiring officer is satisfied that each portion is part of the same note.

8. Claims to the value of a mutilated note of a denomination exceeding ten rupees shall be rejected and the note shall be stamped with the prescribed stamp and returned to the claimant, excepting when the number of the note on examination is identified with

certainty by the enquiring officer as one of not more than six numbers :
provided that, if such number, though not capable of such identification, is declared by the claimant, the claim shall be dealt with under rules 13 and 15 as the claim to the value of a wholly destroyed note :

provided further that, if, in any case where the claimant is unable to declare the number, the enquiring officer is of opinion that the number may be identified within a reasonable period, he may permit the claimant to leave the note in deposit with a view to future identification.

9. If a mutilated note has been identified with certainty by the enquiring officer as one of not more than six numbers, he may pass orders—

(a) ordering the claim to be paid at once, or

(b) ordering the claim to be treated as one on a half note.

10. (1) The enquiring officer shall enter the particulars of any mutilated note placed in deposit under rule 8 in a register to be maintained in this behalf, and shall give a receipt to the claimant in respect of such note.

Proceedings in respect
of mutilated notes placed
in deposit.

(2) Where the number of a note so placed in deposit is not identified within a period of three years to the extent specified in rule 8 the claim shall be rejected and the note shall be stamped and returned to the claimant, or, if the claimant cannot be found, shall be destroyed.

11. (1) Claims in respect of a mismatched note shall be deemed to be separate claims in respect of each half thereof, and shall be dealt with as provided in this rule.

Claims in respect of
mismatched notes.

(2) If, when the claim is made, the counterpart has not been presented, the half note shall be placed in deposit, and, if within a period of one year from the presentation of the claim—

(a) the counterpart is presented and no claim for the full value is made in respect thereof, or

(b) the counterpart is not presented,
half the value of the note may be paid to the claimant on the presentation of the counterpart or on the expiration of the period of one year, as the case may be.

(3) If, when the claim is made, the counterpart of the half note has already been presented and no claim to the full value of the note has been made in respect of such counterpart under rule 12, or if such claim has been presented and rejected, half the value of the note may be paid to the claimant forthwith.

(4) If, when the claim is made, the counterpart has already been presented and the full value of the note has been paid thereon under the provisions hereinafter contained, the claim shall be rejected.

(5) If, when the claim is made, the counterpart has already been presented and a claim to full value in respect thereof is under enquiry under rule 13 or rule 14 or, if such claim is made on presentation of the counterpart, while the half note is in deposit under sub-rule (2), the claims shall be considered together.

(6) Notwithstanding anything contained in this rule no payment shall be made in respect of a half of a mismatched note which is not of a higher denomination than two and a half rupees in respect of which a claim made under rule 8 or 12 is liable to be rejected.

12. Claims in respect of an obliterated or altered note or half note shall be rejected unless the enquiring officer is satisfied as to the identity of such note or half note and that the note or half note has not been fraudulently altered so as to appear to be of a higher denomination.

Enquiry into claims, in respect of half notes, or notes lost or wholly destroyed for full value of the note.

13. (1) Claims to the full value—

(a) of a note of which half only is presented by the claimant, or
(b) of a note which is alleged to have been lost or wholly destroyed, shall be accompanied by a signed statement, or if the enquiring officer so directs, by an affidavit, made by the claimant to the effect that he was the last lawful holder of the entire note and containing a full description of the circumstances attending the loss or destruction of the missing half or of the note, as the case may be, and by a statement obtained from the police or postal authorities of the result of the enquiry, if any, held by them.

(2) On receipt of such claim, the enquiring officer, after considering the statements furnished and affidavit, if any, and after making such further enquiry, if any, as he may consider necessary, shall unless he is empowered under the proviso to rule 6 (a) to dispose of the case, submit the record to the Deputy Controller for orders, together with his opinion as to the results of the enquiry.

14. If the enquiry has been made in respect of a claim under rule 13 (1) (a) the Deputy Controller on receipt of the record from the enquiring officer, or the enquiring officer, if empowered under the proviso to rule 6

(a), may pass orders—

(a) rejecting the claim, or
(b) ordering the claim to be paid at once, or
(c) ordering that, unless a subsequent claim in respect of the same note is successful in the meantime, the claim be paid on expiration of a period, which shall ordinarily be not less than six months from the date of the order :

provided that, if the claim is made by any person other than a Government servant acting in his official capacity, no order shall be passed for immediate payment of the claim unless the officer empowered to pass such order considers that the facts relating to the claim are not in doubt :

provided further that the Deputy Controller or enquiring officer, as the case may be, when making an order for payment either at once or at the

expiration of the period specified in the order under clause (c), shall require as a condition of payment that the claimant, if other than a Government servant acting in his official capacity, shall, before payment is made, execute a bond with or without sureties in the form set out in Schedule I or II, as the case may be.

15. (1) If the enquiry has been made in respect of a claim under rule 13 (1) (b) and the Deputy Controller on receipt of Orders on claims in respect of notes lost or wholly destroyed. the record is not satisfied that the note has been wholly destroyed or lost in such circumstances that there is no probability of its being presented at some future date for payment, he shall reject the claim.

(2) If after considering the record of such enquiry he is so satisfied, and is further satisfied that the claimant was the last lawful holder of the note, he shall cause to be published in the *Gazette of India* and in three successive issues of the local official Gazette, a notification stating the particulars of the note alleged to have been lost or destroyed, and the name of the claimant, and calling upon any person having a claim in respect of such note to submit the same forthwith.

(3) If on the expiration of two years from the date of the first publication under sub-rule (2) the note has not been presented, the Deputy Controller may order an amount equivalent to the value of the note to be invested in Government securities, or to be deposited in the Post Office Savings Bank.

(4) If on the expiration of a period, which shall be determined by the Deputy Controller, but which, unless the Governor General in Council otherwise directs, shall be not less than five years from such first publication, the note has not been presented and no subsequent claim in respect of the same has been substantiated, the Deputy Controller shall order the securities referred to in sub-rule (3), or the deposit in the Post Office Savings Bank, as the case may be, with the interest which has in the meantime accumulated thereon, to be delivered to the claimant, or, if the claimant is dead, to his legal representative, on a bond, with or without sureties, executed in the form set out in Schedule III or IV, as the case may be.

(5) If, prior to the expiration of such period, a subsequent claim in respect of the note is substantiated, the delivery specified in sub-rule (4) shall be made, on the condition therein specified, to the person making such subsequent claim, or, if such person is dead, to his legal representative :

Provided that, if the note, said to have been lost or destroyed, is produced before the expiration of such period either by the claimant or by any other person, the proceedings under these rules in respect of such note shall be cancelled.

16. The bonds referred to in the second proviso to rule 14 and in sub-rule (4) of rule 15 shall be executed on printed forms to be supplied by the Currency Department in this behalf and containing the particulars

Surety bonds to be executed on printed forms supplied by the Currency Department.

set out in Schedules I, II, III or IV, as the case may be, and the value of the stamp on any such bond shall be recovered from the person executing the same.

17. Save as otherwise provided in rules 8 and 10, notes presented in Retention of notes presented in prosecution of a claim, prosecution of a claim will be retained by Government, whatever be the decision on the claim.

18. Where, as the result of a decision on a claim under these rules, the value or part of the value of any note is payable to the claimant, and such claimant, or, if such claimant is dead, his legal representative cannot be found, or where within a period of three months from the communication to him of the decision the claimant, or, if such claimant is dead, his legal representative, takes no steps to receive payment, the amount payable to him shall be credited to Government.

SCHEDULE I.

Form of Bond with sureties to be executed under the proviso to Rule 14 (c).

SCHEDULE II.

Form of Bond without sureties to be executed under the proviso to Rule 14 (c).

SCHEDULE III.

Form of Bond with sureties to be executed under Rule 15 (4).

SCHEDULE IV.

Form of Bond without sureties to be executed under Rule 15 (4).

SCHEDULE I.

Half Note Bond with sureties.

KNOW ALL MEN by these Presents that we _____

*

†

and ‡

_____ are jointly and severally held and firmly bound unto the Secretary of State for India in Council (hereinafter called the Secretary of State) in the sum of Rs. _____

* Principal's name in full and address and occupation.

† First Surety's name in full and address and occupation.

‡ Second Surety's name in full and address and occupation.

to be paid to the Secretary of State his certain attorney successors or assigns for which payment well and truly to be made we hereby bind ourselves our heirs executors administrators and representatives jointly and every two of us bind ourselves our heirs executors administrators and representatives jointly and each of us binds himself his heirs executors administrators and representatives severally firmly by these presents sealed with our seals this _____ day of _____ in the Christian year one thousand nine hundred and _____

WHEREAS the above bounden * _____ claims that he is the lawful holder of the $\frac{\text{half}}{\text{halves}}$ of the following Currency $\frac{\text{Note}}{\text{Notes}}$ † _____

and that the other $\frac{\text{half}}{\text{halves}}$ belongs to him but that the same lost ;
* Principal's name. † Value and number of Note (s).

AND WHEREAS the said † _____ has applied to the _____ Currency Officer for the Circle at _____ for payment of the amount of the said $\frac{\text{Note}}{\text{Notes}}$;

AND WHEREAS the said Currency Officer for and on behalf of the Governor General of India in Council acting in the premises for and on behalf of the Secretary of State has acceded to the said application on condition of the said † _____ and two sufficient sureties executing such Bond as above-written and the said § _____ and ¶ _____ have accordingly as such sureties agreed to execute such Bond with such condition as hereunder is written. NOW THE CONDITION of the above-written bond is such that if the above bounden ¶ _____ and _____ and their heirs executors administrators or representatives shall repay to the Secretary of State the above-mentioned sum of Rs. _____ on demand in the event of the Deputy Controller of the Currency for the time being at _____ being at any time hereafter satisfied that the said † _____ was not entitled to receive the above-mentioned sum then the above-written bond shall be void and of no effect otherwise the same shall remain in full force and virtue.

† Principal's name.
§ First Surety's name

¶ Second Surety's name.
¶ Names of Principal and Sureties.

Signed sealed and delivered by the above-named—

the presence of _____

** Principal's name.

Principal's witnesses.	{	Signature of first witness _____	} Signature _____ of Principal
		Occupation and address of witness _____	
		Signature of second witness _____	
		Occupation and address of witness _____	

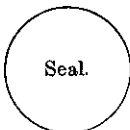


Signed sealed and delivered by the above-named _____

 in the presence of _____

Name of 1st
Surety.

1st Surety's witnesses.	{	Signature of first witness _____	} 1st Surety's signature _____
		Occupation and address of witness _____	
		Signature of second witness _____	
		Occupation and address of witness _____	



Signed sealed and delivered by the above-named _____

 in the presence of _____

Name of 2nd
Surety.

2nd Surety's witnesses.	{	Signature of first witness _____	} 2nd Surety's Signature _____
		Occupation and address of witness _____	
		Signature of second witness _____	
		Occupation and address of witness _____	



ENDORSEMENT.

Order No. _____ dated the _____

Pay to _____

Signature of Principal _____

Executed in my presence this _____ day of _____ 19 _____

Certified that the sureties are in my opinion fit persons to be accepted as such and that they are aware of the terms of the Bond.

Dated _____ 19 .

Collector.

Received from the Officer-in-charge, Paper Currency _____ the sum of rupees _____ only being the full value of the Notes mentioned in the Bond.

Signature of Principal. _____

SCHEDULE II.

Half Note Bond without sureties.

KNOW ALL MEN by these Presents that I* _____

am held and firmly bound unto the Secretary of State for India in Council (hereinafter called the Secretary of State) in the sum of Rs. _____ to be paid to the Secretary of State his certain attorney successors or assigns for which payment well and truly to be made I hereby bind myself my heirs executors administrators and representatives and every one of them firmly by these presents sealed with my seal this _____ day of _____ in the Christian year One thousand nine hundred and _____

WHEREAS the above bounden† _____

claims that he is the lawful holder of the $\frac{\text{half}}{\text{halves}}$ of the following Currency ^{Note} _{Notes} _____

‡

and that the other $\frac{\text{half}}{\text{halves}}$ belongs to him but that the same _____ lost ;

AND WHEREAS the said§ _____

has applied to the _____

Currency Officer for the Circle at _____

for payment of the amount of the said ^{Note} _{Notes} _____

AND WHEREAS the said Currency Officer for and on behalf of the Governor General of India in Council acting in the premises for and on behalf of the Secretary of State has acceded to the said application on condition of the said† _____

executing such bond as above-written with such condition as hereunder is written. NOW THE CONDITION of the above-written bond is such

* Claimant's name in full and address and occupation.

† Claimant's name.

‡ Value and number of Note (s).

§ Principal's name.

that if the above bounden ⁽¹⁾_____ his
 heirs executors administrators or representatives shall repay to the
 Secretary of State the above-mentioned sum of Rs. _____
 on demand in the event of the Deputy Controller of the Currency for the
 time being at _____ being at any time
 hereafter satisfied that the said ⁽¹⁾_____
 was not entitled to receive the abovementioned sum then the above-
 written bond shall be void and of no effect otherwise the same shall
 remain in full force and virtue.

Signed sealed and delivered by the above-named—
⁽¹⁾ _____ }
 in the presence of _____ }
 Claimant's witnesses. { Signature of first witness ⁽²⁾ _____ }
 { Occupation and address of witness _____ } Signature _____ of
 { Signature of second witness _____ } Claimant _____
 { Occupation and address of witness _____ }
 Seal.

ENDORSEMENT

Order No. _____, dated the _____
 Pay to _____ Signature of Claimant _____
 Executed in my presence this _____ day of _____ 19 ____
 Dated _____ 19 ____ Collector.

Received from the Officer-in-charge, Paper Currency _____ the sum
 of rupees _____ only being the full value of the notes mentioned in
 the Bond.

Signature of Claimant.

SCHEDULE III

Wholly destroyed or lost Note Bond with sureties.

KNOW ALL MEN by these Presents that we ⁽³⁾_____

and ⁽⁴⁾_____ are jointly and

- ⁽¹⁾ Claimant's name.
⁽²⁾ Claimant's witness.
⁽³⁾ Principal's name in full and address and occupation. First Surety's name
 in full and address and occupation.
⁽⁴⁾ Second Surety's name in full and address and occupation.

severally held and firmly bound unto the Secretary of State for India in Council (hereinafter called the Secretary of State) in the sum of Rs. _____ to be paid to the Secretary of State his certain attorney, successors or assigns for which, payment well and truly to be made we hereby bind ourselves our heirs, executors, administrators and representatives jointly and every two of us bind ourselves our heirs and executors, administrators and representatives jointly and each of us binds himself his heirs, executors, administrators and representatives severally firmly by these presents sealed with our seals this day of _____ in the Christian year One thousand nine hundred and _____

WHEREAS the above bounden (1) _____
alleges that the following Currency ^{Note}
Notes (2) _____
_____ has
_____ have
been ^{wholly destroyed}
lost and that at the date of the ^{destruction}
loss of the said
^{Note}
Notes he was the lawful holder of the said ^{Note}
Notes;

AND WHEREAS the said (1) _____
has applied to the _____
Currency Officer for the Circle at _____
for payment of the amount of the said ^{Note}
Notes;

AND WHEREAS the said Currency Officer for and on behalf of the Governor General of India in Council acting in the premises for and on behalf of the Secretary of State has acceded to the said application on the condition of the said (1) _____ and two sufficient sureties executing such Bond as above-written and the said (3) _____

and (4) _____
have accordingly as such sureties agreed to execute such bond with such condition as hereunder is written. NOW THE CONDITION of the above-written bond is such that if the above bounden (5) _____
and _____

and their heirs executors administrators or representatives shall repay to the Secretary of State the above-mentioned sum of Rs. _____ on demand in the event of the Deputy Controller of the Currency for the time being at _____ being at any time hereafter satisfied that the said (1) _____

was not entitled to receive the above mentioned sum then the above

(1) Principal's name.

(2) Value and number of Note (s).

(3) First Surety's name.

(4) Second Surety's name.

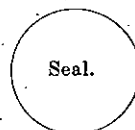
(5) Names of Principal and Sureties.

written bond shall be void and of no effect otherwise the same shall remain in full force and virtue.

Signed sealed and delivered by the
above-named (1) _____
in the presence of _____

Signature of first witness (2) _____
Occupation and address of witness _____
Signature of second witness _____
Occupation and address of witness _____

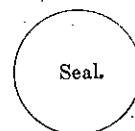
Signature of Principal _____



Signed, sealed and delivered by the
above-named (3) _____
in the presence of _____

Signature of witness (3) _____
Occupation and address of witness _____
Signature of witness _____
Occupation and address of witness _____

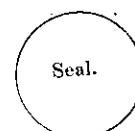
1st Surety's signature _____



Signed, sealed and delivered by the
above-named (4) _____
in the presence of _____

Signature of witness _____
Occupation and address of witness _____
Signature of witness (5) _____
Occupation and address of witness _____

2nd Surety's signature _____



- (1) Principal's name.
(2) Principal's witness.
(3) First Surety's witnesses.
(4) Second Surety's name.
(5) Second Surety's witnesses.

ENDORSEMENT

Order No. _____ dated the _____

Pay to _____

Signature of Principal _____

Executed in my presence this _____ day of _____ 19 _____

Certified that the sureties are in my opinion fit persons to be accepted as such and that they are aware of the terms of the Bond.

Dated _____ 19 _____ Collector.

Received from the Officer-in-charge, Paper Currency _____
the sum of rupees _____
only being the full value of the notes mentioned in the Bond.

Signature of Principal.

SCHEDULE IV

*Wholly destroyed or lost Note Bond without sureties.*KNOW ALL MEN by these Presents that I ⁽¹⁾ _____

am held and firmly bound unto the Secretary of State for India in Council (hereinafter called the Secretary of State) in the sum of Rs. _____ to be paid to the Secretary of State his certain attorney, successors or assigns for which payment well and truly to be made I hereby bind myself my heirs executors administrators and representatives and every one of them firmly by these presents sealed with my seal this _____ day of _____ in the Christian year One thousand nine hundred and _____

WHEREAS the above bounden ⁽²⁾ _____alleges that the following Currency $\frac{\text{Note}}{\text{Notes}}$ ⁽³⁾ _____

$\frac{\text{has}}{\text{have}}$ been $\frac{\text{wholly destroyed}}{\text{lost}}$ and that at the date of the $\frac{\text{destruction}}{\text{loss}}$ of the said $\frac{\text{Note}}{\text{Notes}}$ he was the lawful holder of the said $\frac{\text{Note}}{\text{Notes}}$;

AND WHEREAS the said ⁽²⁾ _____
has applied to the _____
Currency Officer for the Circle _____

for payment of the amount of the said $\frac{\text{Note}}{\text{Notes}}$;⁽¹⁾ Claimant's name in full and address and occupation.⁽²⁾ Claimant's name.⁽³⁾ Value and number of Note(s).

AND WHEREAS the said Currency Officer for and on behalf of the Governor General of India in Council acting in the premises for and on behalf of the Secretary of State has acceded to the said application on the condition of the said⁽¹⁾ _____ executing such Bond as above-written with such condition as hereunder is written. NOW THE CONDITION of the above-written bond is such that if the above bounden⁽¹⁾ _____ and his heirs, executors, administrators or representatives shall repay to the Secretary of State the abovementioned sum of Rs. _____ on demand in the event of the Deputy Controller of the Currency for the time being at _____ being at any time hereafter satisfied that the said⁽¹⁾ _____ was not entitled to receive the above-mentioned sum then the above-written bond shall be void and of no effect otherwise the same shall remain in full force and virtue.

Signed, sealed and delivered by the above-named ⁽¹⁾ _____	} Signature of Claimant _____
in the presence of _____	
Signature of first witness ⁽²⁾ _____	
Occupation and address of witness _____	
Signature of second witness _____	} Seal.
Occupation and address of witness _____	

ENDORSEMENT

Order No. _____ dated the _____

Pay to _____

Signature of Claimant _____

Executed in my presence this _____ day of _____ 19 _____

Dated _____ 19 _____ Collector.

Received from the Officer-in-Charge, Paper Currency _____

the sum of rupees _____

only being the full value of the notes mentioned in the Bond.

Signature of Claimant.

RULES AND ORDERS UNDER ACT V OF 1910

DOURINE

APPOINTING VETERINARY PRACTITIONERS IN SIND

Notn. No. G-481, Commr., 2nd Dec. 1915, S. G., 1915, Pt. I, p. 1923.

In exercise of the powers conferred by Government notification No. 9299, dated the 30th August 1915, the Commissioner in Sind is

(1) Claimant's name.

(2) Claimant's witnesses.